

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANDREA LEE CRUZ,**  
                    **Plaintiff,**

**v.**

**CAROLYN W. COLVIN,**  
                    **Commissioner of Social Security,<sup>1</sup>**  
                    **Defendant.**

:  
:  
:  
:  
:  
:  
:

**CIVIL ACTION**

**NO. 12-4552**

**ORDER**

**AND NOW**, this 6th day of August, 2013, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review [Doc. No. 12], Defendant's Response [Doc. No. 15], and Plaintiff's Reply [Doc. No. 16], and upon review of the Report and Recommendation ("R&R") of United States Magistrate Judge Henry S. Perkin dated June 19, 2013 [Doc. No. 17], to which there were no objections filed by either party, it is hereby

**ORDERED** as follows:

1. The Report and Recommendation [Doc. No. 17] is **APPROVED** and **ADOPTED**;
2. Plaintiff's request for review is **GRANTED in part**;<sup>2</sup>
3. This matter is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the R&R;<sup>3</sup> and

---

<sup>1</sup> On February 14, 2013, Carolyn W. Colvin became Acting Commissioner of Social Security. Pursuant to Federal Rule of Civil Procedure 25(d), Carolyn W. Colvin should be substituted for Michael J. Astrue as the defendant in this suit.

<sup>2</sup> To the extent Ms. Cruz seeks reversal of the Commissioner's decision and an award of benefits, the request is **DENIED**.

<sup>3</sup> Judge Perkin concluded—and this Court agrees—that the Administrative Law Judge ("ALJ") erred only in failing to provide sufficient written analysis of the opinion of Ms. Cruz's treating psychiatrist, Dr. Castro, or detailed reasons (including specific evidence in the record and/or contradictory medical opinions) for the ALJ's decision to give Dr. Castro's opinion limited weight. As recommended, remand is appropriate for further discussion of Dr. Castro's opinion.

4. The Clerk of Court is directed to mark this case **CLOSED** for all purposes.

It is so **ORDERED**.

BY THE COURT:

/s/ Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE